

CSD 1162 [08/22/03]

Name, Address, Telephone No. & I.D. No.



UNITED STATES BANKRUPTCY COURT

SOUTHERN DISTRICT OF CALIFORNIA

325 West "F" Street, San Diego, California 92101-6991

In Re _____

BANKRUPTCY NO. _____

Debtor. _____

RS NO. _____

Moving Party _____

Respondent(s) _____

ORDER ON NONCONTESTED MOTION FOR RELIEF FROM AUTOMATIC STAY REAL PROPERTY PERSONAL PROPERTY

IT IS ORDERED THAT the relief sought as set forth on the continuation pages attached and numbered two (2) through _____ with exhibits, if any, for a total of _____ pages, is granted. Motion Docket Entry No. _____

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DATED: July 07, 2010

Signature by the attorney constitutes a certification under Fed. R. of Bankr. P. 9011 that the relief in the order is the relief granted by the court.

Submitted by:

(Firm name)

By: _____
Attorney for Movant

Louis DeLaRolle Adler
Judge, United States Bankruptcy Court

The Motion of _____,

("Movant"), for relief from the automatic stay having been filed with the above-entitled court on _____, and

The Notice of Filing of a Motion for Relief from Automatic Stay (a file-stamped copy of which is attached hereto as Exhibit A OR Notice Docket Entry No._____, if filed electronically), the Motion, and accompanying Declarations having been served upon the parties named below on _____, and

- Debtor (*Name*):
- Debtor's Attorney (*Name*):
- Trustee (*Name*):
- United States Trustee (in Chapter 11 & 12 cases), and
- Others, if any (*Name*):

No objection or Request for Hearing having been filed by or on behalf of the Debtor, IT IS HEREBY ORDERED as follows:

The automatic stay pursuant to 11 U.S.C. Section 362 is hereby terminated for all purposes as to Movant in connection with the estate's and the debtor's interest in

1. The following real property:
 - a. Street address of the property including county and state:
 - b. Legal description is attached as Exhibit A or described below:
2. The following personal property as described below or in Exhibit B attached:

IT IS FURTHER ORDERED that (*Optional*):

Page 1
 Order No. 58040728
 PARCEL A:

DESCRIPTION

20966

LOT 66 OF COUNTY OF SAN DIEGO TRACT NO. 4854, UNIT NO. 1, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 13453, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JULY 17, 1997.

EXCEPTING THEREFROM ALL MINERALS, OIL, GAS AND OTHER HYDROCARBON SUBSTANCES LYING BELOW A DEPTH OF 500 FEET BELOW THE SURFACE OF THE PROPERTY, BUT WITHOUT RESERVING THE RIGHT OF SURFACE ENTRY TO THE PROPERTY.

FURTHER EXCEPTING THEREFROM THE RIGHT AND POWER TO USE OR UTILIZE ALL WATER RIGHTS OR INTERESTS IN WATER THAT MAY BE WITHIN, UNDER OR ON THE PROPERTY HEREINAFTER DESCRIBED, WHETHER SUCH WATER RIGHTS SHALL BE RIPARIAN, OVERLYING, APPROPRIATIVE, PERCOLATING OR DESCRIPTIVE, BUT WITHOUT RESERVING THE RIGHT OF SURFACE ENTRY TO THE PROPERTY.

RESERVING THEREFROM THE COMMON MAINTENANCE AREA EASEMENT RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, CALIFORNIA ON MARCH 26, 1998 AS DOCUMENT NO. 1998-0166575, IF THE LOT DESCRIBED IN THIS PARCEL 1 IS AFFECTED BY SUCH COMMON MAINTENANCE AREA EASEMENT.

PARCEL B:

A NON-EXCLUSIVE EASEMENT ON AND OVER THE "COMMON AREA" AS DEFINED IN THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR BERNARDO POINT RECORDED AUGUST 08, 1997 AS DOCUMENT NO. 1997-0378747 FOR USE, OCCUPANCY AND ENJOYMENT OF, AND INGRESS AND EGRESS TO, THE AMENITIES LOCATED THEREON, SUBJECT TO THE TERMS AND PROVISIONS OF THE DECLARATION. THIS EASEMENT IS APPURTELLANT TO PARCEL 1 ABOVE DESCRIBED AND SHALL BECOME EFFECTIVE AS TO EACH LOT WITHIN THE COMMON AREA UPON THE LATER TO OCCUR OF (I) THE RECORDATION OF THIS DEED, OR (II) THE CONVEYANCE OF RECORD OF THE COMMON AREA TO THE ASSOCIATION (DEFINED BELOW).

PARCEL C:

A NON-EXCLUSIVE EASEMENT ON, OVER, UNDER AND ACROSS LOT 82 OF COUNTY OF SAN DIEGO TRACT NO. 4854-1 IN THE COUNTY OF SAN DIEGO ACCORDING TO MAP THEREOF NO. 13453 FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, CALIFORNIA, ON JULY 17, 1997 ("LOT 82") FOR PURPOSES OF VEHICULAR AND PEDESTRIAN ACCESS, INGRESS, EGRESS, AND FOR UTILITIES. THIS EASEMENT IS APPURTELLANT TO PARCEL 1 ABOVE AND SHALL BECOME EFFECTIVE UPON THE RECORDATION OF THIS DEED AND SHALL TERMINATE UPON THE CONVEYANCE OF RECORD OF LOT 82 TO THE ASSOCIATION.